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16 *Attorneys for Plaintiff*
ORACLE AMERICA, INC.

21 || ORACLE AMERICA, INC.

Case No. CV 10-03561 WHA

22 Plaintiff,

**DECLARATION OF MARC DAVID
PETERS IN SUPPORT OF ORACLE'S
MOTION FOR ADMINISTRATIVE
RELIEF TO SUPPLEMENT THE JOINT
EXHIBIT LIST**

23 || v.

V.

24 || GOOGLE INC.

Defendant.

Dept.: Courtroom 8, 19th Floor
Judge: Honorable William H. Alsup

1 I, Marc David Peters, declare as follows:

2 I am a partner at Morrison & Foerster LLP and am counsel of record to Plaintiff Oracle
3 America, Inc. I have personal knowledge of the matters set forth herein and, if called to testify,
4 could and would testify competently to the following.

5 1. On March 28, 2012, I sent to Google's counsel a list of proposed supplementations
6 to the Joint Exhibit List. It included all of the documents referenced in Oracle America, Inc.'s
7 Motion for Administrative Relief to Supplement the Joint Exhibit List, except for the additional
8 Android source code files.

9 2. On April 9, 2012, my partner, Daniel P. Muino, asked counsel for Google whether
10 Google would be amenable to supplementing the Joint Exhibit List with the additional Android
11 source code files.

12 3. On April 10, 2012, counsel for Google declined to accept Oracle's proposed
13 supplementations to the Joint Exhibit List.

14 4. Attached hereto as Exhibit 1 is a true and correct copy of relevant portions of the
15 transcript of deposition of Daniel Bornstein, taken on May 16, 2011 (highlights added).

16 5. Attached hereto as Exhibit 2 is a true and correct copy of relevant portions of the
17 transcript of deposition of Brian Swetland, taken on July 7, 2011 (highlights added).

18 6. Attached hereto as Exhibit 3 is a true and correct copy of relevant portions of the
19 transcript of deposition of Andy Rubin, taken on July 27, 2011 (highlights added).

20 I declare under penalty of perjury under the laws of the United States that to the best of
21 my knowledge the foregoing is true and correct. Executed on April 12, 2012, in San Francisco,
22 California.

23 /s/ Marc David Peters
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